

CASE LOMBARDI & PETTIT
A LAW CORPORATION

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CONCRETE CORING COMPANY OF HAWAII,
A PENHALL COMPANY, A CALIFORNIA CORPORATION

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII

CONCRETE CORING COMPANY
OF HAWAII, A PENHALL
COMPANY, A CALIFORNIA
CORPORATION,

Plaintiff,

vs.

DAVID M. ALISA AND PACIFIC
CONCRETE & CORING, INC. DBA
NATIONAL CONCRETE SAWING,
A HAWAII CORPORATION

Defendants.

CIVIL NO.: 19-00422-SOM-WRP

STIPULATED ORDER FOR STAY
OF LITIGATION AND COURT
DEADLINES

**STIPULATED ORDER FOR STAY
OF LITIGATION AND COURT DEADLINES**

Plaintiff Concrete Coring Company of Hawaii, A Penhall Company, A California Corporation ("Plaintiff") and Defendants David M. Alisa ("Alisa") and Pacific Concrete & Coring, Inc. dba National Concrete Sawing, A Hawaii Corporation (collectively "Defendants"), by and through their respective counsel and for themselves, hereby stipulate and agree as follows:

- A. On August 6, 2019, Plaintiff filed its Complaint against Defendants and the Defendants were served with the Complaint;
- B. The Complaint, among other things, concerns Plaintiff's claims of (1) Breach of Contract by Alisa pursuant to the noncompetition covenant in the Proprietary Information and Confidentiality Agreement dated May 2, 2015 by and between Plaintiff, as employer, Alisa, as employee, (the "Agreement"); (2) Breach of Contract by Alisa for Confidentiality pursuant to the Agreement; (3) Actual and Threatened Misappropriation of Trade Secrets against all Defendants pursuant to 18 U.S.C. section 1836; and (4) Actual and Threatened Misappropriation of Trade Secrets against all Defendants pursuant to Hawaii Revised Statute section 482B;
- C. On September 6, 2019, a Stipulated Order for Preliminary Injunction and Permanent Injunction Against Defendants David M. Alisa and

Pacific Concrete & Coring, Inc. was filed herein. Dkt #7;

- D. The parties have entered into a Confidential Settlement Agreement that, among other things, pending completion and satisfaction of any and all obligations, conditions and covenants contained in the Confidential Settlement Agreement, all proceedings, hearings and court deadlines in this case are hereby stayed for a period of one year from the date of this Stipulation and Order;
- E. In approximately one year from the date of this Stipulation, the parties will submit for filing a Stipulation and Order for Dismissal Without Prejudice; and
- F. The Court shall retain jurisdiction over the interpretation, implementation or any dispute related to or concerning the Confidential Settlement Agreement.

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DATED: Honolulu, Hawaii, September 25, 2019.

/s/ Mark G. Valencia
MARK G. VALENCIA, ESQ.
Attorney for Plaintiff
CONCRETE CORING COMPANY
OF HAWAII, A PENHALL
COMPANY, A CALIFORNIA
CORPORATION

/s/ Kale Feldman
KALE FELDMAN, ESQ.
Attorney for Defendants
DAVID M. ALISA, and
PACIFIC CONCRETE & CORING, INC.
dba NATIONAL CONCRETE SAWING, A
HAWAII CORPORATION

APPROVED AND SO ORDERED.

DATED, HONOLULU, HAWAII, OCTOBER 3, 2019.



A handwritten signature in black ink, appearing to be "Wes Reber Porter".

Wes Reber Porter
United States Magistrate Judge

Civil No.:19-00422 SOM-WRP; Concrete Coring Company of Hawaii, A Penhall Company, A California Corporation v. David M. Alisa, et al.; STIPULATED ORDER FOR STAY OF LITIGATION AND COURT DEADLINES